

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.

P-5026In Re Application Of: **Nicholas R. Bachur, Jr. et al.**

Application No.

09/892,061

Filing Date

6/26/01

Examiner

W. Beisner

Customer No.

26253

Group Art Unit

1744

Confirmation No.

1747**Title: SYSTEM AND METHOD FOR OPTICALLY MONITORING THE CONCENTRATION OF A GAS
OR THE PRESSURE IN A SAMPLE VIAL TO DETECT SAMPLE GROWTH**

Address to:

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450****37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
P-5026

In Re Application: Nicholas R. Bachur, Jr. et al.

Application No. 09/892,061	Filing Date 6/26/01	Examiner W. Beisner	Customer No. 26253	Group Art Unit 1744	Confirmation No. 1747
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Title: **SYSTEM AND METHOD FOR OPTICALLY MONITORING THE CONCENTRATION OF A GAS OR THE PRESSURE IN A SAMPLE VIAL TO DETECT SAMPLE GROWTH**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1666** as described below.
- ☒ Charge the amount of **\$180.00**
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)	
_____ (Date)	
_____ Signature	
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>JUNE 27 2005</u>	
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Signature

Dated: **June 27, 2005**

Scott J. Rittman, Reg. No, 39,010
Becton Dickinson and Company
1 Becton Drive
Franklin Lakes, NJ 07417-1880
201-847-6356

CC:

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Docket Number (Optional) P-5026		Application Number 09/892,061	
				Applicant(s) Bachur, Jr. et al.			
				Filing Date 6/26/01		Group Art Unit 1744	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,945,060	7/31/90	Turner			
		5,094,955	3/10/92	Calandra et al.			
		5,162,229	11/10/92	Thorpe et al.			
		5,164,796	11/17/92	DiGuseppi et al.			
		5,217,876	6/8/93	Turner et al.			

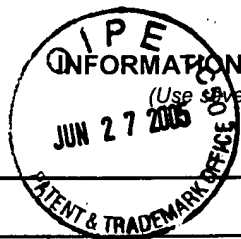
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		GB2059574A		Great Britain				
		EP0834554A2		EPO				
		EPO 0 688863A2		EPO				

OTHER DOCUMENTS			<i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>
		"Remote detection of methane with a 1.66-um diode laser" Kiyoji Uehara and Hidet Tai 20 Feb. 1992/Vol. 31, No. 6, Applied Optics	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

ATTY DOCKET NO.

P-5026

APPLICATION NO.

09/892.061

APPLICANT(S)

Bachur, Jr. et al.

FILING DATE

6/26/01

GROUP ART UNIT

1744**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,482,842	1/9/96	Berndt			
	5,401,966	3/28/95	Gray et al.			
	4,889,992		Hoberman			

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

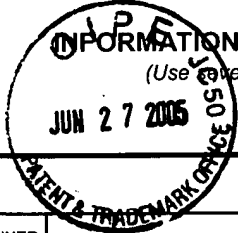
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

			European Search Report - EP 01 12 2846)

EXAMINER

DATE CONSIDERED

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				Bachur, Jr. et al.				
				FILING 6/26/01		GROUP ART 1744		
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		5,586,823	12/24/96	Carr				
		5,863,752	1/26/99	Court et al.				
		5,858,769	1/12/99	DiGuseppi et al.				
		5,856,175	1/5/99	Thorpe et al.				
U.S. PATENT APPLICATION PUBLICATIONS								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER				DATE CONSIDERED				

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